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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,587	03/30/2001	Sachin V. Shah	10541/251	6807

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EXAMINER	
JORGENSEN, LELAND R	

ART UNIT	PAPER NUMBER
2675	7

DATE MAILED: 09/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/823,587	SHAH, SACHIN V.	
	Examiner	Art Unit	
	Leland R. Jorgensen	2675	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 June 2003* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *2 - 11* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *2 - 11* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. In view of the amendment filed 23 June 2003, the rejection of claims 4 – 11 under 35 U.S.C. 112, second paragraph, is withdrawn.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 2 – 5 are rejected under 35 U.S.C. 102(e) as being anticipated by Chang, USPN 6,409,242 B1.

Claim 2

Chang teaches a console lid mounted screen comprising a console lid [video display 22] positioned over a console [housing 24] for pivotal movement relative thereto. Chang, col 3, lines 3 – 22, 47 – 53; and figure 2. The console lid has an interior compartment and a bottom side. See Chang, figures 2 and 5. The console has a storage bin [recess 46] . Chang, col 3, lines 47 – 53; and figure 2.

A display screen 50 is mounted in a movable frame pivotally positioned within the interior compartment of the lid, wherein the movable frame can pivot between at least an open

position and a closed position relative to the lid, wherein when the movable frame is in the closed position, the screen is inaccessible. Chang, col. 3, lines 54 – 64; and figures 2, 5, and 9.

Claim 3

Chang teaches that the lid can pivot between an open position and a closed position, wherein when the lid is in the open position, the storage bin of the console is accessible. Chang, col. 3, lines 54 – 64; and figures 2, 5, and 9.

Claim 4

Chang shows the bottom side of the interior compartment is comprised of a substantially rigid material. Chang, figures 2 and 5.

Claim 5

Chang teaches that when the frame is in the closed position, the screen is hidden from view and the lid has a substantially flat profile. Chang, col. 3, line 54 – col. 3, line 12; and figures 2 and 5.

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chang in view of Zaidan, USPN 5,494,447.

Claim 6

Chang teaches self-tensioning hinges but does not describe such hinges as pinions.

Zaidan teaches the use of a pinion to help a display part 12 to remain stationary at any angle relative to a base part 14. Zaidan, col. 5, lines 23 – 27; col. 12, lines 4 – 8; and figure 1.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the pinion as taught by Zaidan with the console lid mounted screen as taught by Chang. Zaidan invites such combination by teaching,

> This invention relates to hinges for electronic devices, particularly hinge assemblies for electronic devices having two or more device parts that interconnect and stably support the device parts while providing enhanced adjustability in the three-dimensional positioning of each device part relative to the other device parts, so as to enhance comfort, efficiency and effectiveness in using the electronic device.
>
> Two-part electronic devices are common. They include personal computers of various categories such as desk-top, laptop, notebook, and palm-top computers, as well as pen-based tablet computers. Two-part electronic devices also include personal organizers and other electronic devices.
>
> For two-part electronic devices, one device part typically is a video display. For example, portable computers typically have a flat panel display screen (the "display part"), e.g., an LCD or gas plasma display. The second device part typically is a base that holds, among other things, the bulk of the device's electronic hardware, such as disk drives (the "base part"). In portable computers, the base part also commonly holds a keyboard that may or may not be detachable from the base part. Broadly, the display and base parts can be described as typically being, in shape, rectangular prisms, having outside and inside surfaces and right, left, front and back sides.
>
> In using two-part electronic devices, it is generally desirable to be able to adjust the relative positions of the two device parts through three dimensions substantially without restriction, while stably supporting both parts. For example, in portable computers the user may desire to adjust the vertical viewing angle of the display by rotating the display part horizontally relative to the base part. The user may desire to swivel the display part relative to the base part in order to allow a second person to view the display while not encumbering the user's access to the keyboard. The user may desire to position the display a shorter or longer distance from the user's eyes, with or without adjusting the viewing angle or the position of the keyboard. The user may desire to place the display part flat against the base part with the display exposed and the keyboard either (i) covered by the display part, for example, when input is to be pen-based, or (ii) uncovered by the

> display part, for example, when using the device's keyboard in conjunction with an external monitor rather than the integral display. Moreover, the user may desire to adjust the relative positions of the two device parts in these and other ways in sequence or in combination, depending on the type of electronic device and the nature of its use.

Zaidan, col. 1, lines 9 – 57. Zaidan adds,

> The present invention fulfills the need for an improved hinge mechanism for electronic devices, overcomes the shortcomings of prior art hinge mechanisms and provides certain advantages not heretofore available in such mechanisms, by providing a hinge assembly that interconnects and stably supports one device part relative to another while enhancing the three-dimensional adjustability of the position of each device part relative to one or more other device parts.

Zaidan, col. 2, lines 55 – 62.

6. Claims 7 - 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bartlett et al., USPN 5,276,589, in view of Zaidan.

Claim 7

Barlett teaches a frame pivotally attached to a console lid, a display screen defined within the frame, and the console lid having a compartment defined therein to receive the frame. Bartlett col. 2, lines 30 – 64; and figures 1 – 3. Barlett shows the bottom horizontal portion 24 of the frame member 18 as being substantially rigid. Barlett, col. 2, lines 37 – 39; and figures 1 – 3.

Barlett does not teach a friction pinion.

Zaidan teaches the use of a pinion to help a display part 12 to remain stationary at any angle relative to a base part 14. Zaidan, col. 5, lines 23 – 27; col. 12, lines 4 – 8; and figure 1.

For the reasons stated above in the discussion about claim 6, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the pinion as taught by Zaidan with the console lid mounted screen as taught by Bartlett.

Claim 8

Zaidan teaches the use of a pinion to help a display part 12 to remain stationary at any angle relative to a base part 14. Zaidan, col. 5, lines 23 – 27; col. 12, lines 4 – 8; and figure 1.

Claim 9

It is inherent to Bartlett that with the lid closed and the screen with the back 86 out, that when the frame is in the closed position, the screen is hidden from view and the lid has a substantially flat profile. Barlett, col. 3, lines 9 – 10, 32 - 38; and figures 4 and 9.

Claim 10

Bartlett teaches that the console lid [screen portion 14] has a hinge 15 providing a pivotable connection to a console [base portion 12]. Bartlett, col 2, lines 30 – 34; and figure 1.

Claim 11

Barlett teaches that the lid [screen portion 14] can pivot between an open position [figure 3] and a closed position [figure 4]. Barlett, col. 2, lines 57 – 64.

Response to Arguments

7. Applicant's arguments with respect to claims 1 - 6 have been considered but are moot in view of the new ground(s) of rejection.

As to claims 7 – 11, applicant's arguments filed 23 June 2003 have been fully considered but they are not persuasive.

Applicant argues that the pinion described in Zaidan, col. 12, lines 4 – 8 is not the same as the pinion device described in the specifications. The specification provides almost no description of the pinion device and there is no basis to assume that the pinion in applicant's specification and claim is different from the pinion in the Zaidan.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Yasushi, USPN 5,195,709; Calam et al., USPN 2002/0066392 A1; and Shibata, JP 404095543 A; each teach display mounted in consoles.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leland Jorgensen whose telephone number is 703-305-2650. The examiner can normally be reached on Monday through Friday, 7:00 a.m. through 3:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven J. Saras can be reached on 703-305-9720.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office, telephone number (703) 306-0377.

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